

November 18, 2003 CPC December 16, 2003 CPC January 28, 2004 BS February 25, 2004 BS

STAFF'S REQUEST ANALYSIS AND RECOMMENDATION

04SN0133

Gary T. and Bonnie A. Jennings

Matoaca Magisterial District
Grange Hall Elementary School, Swift Creek Middle School and
Clover Hill High School Attendance Zones
South line of Hull Street Road

REQUEST: Rezoning from Agricultural (A) to Residential (R-12) on 29.8 acres plus a Conditional Use Planned Development on 7.9 acres relative to access in an Agricultural (A) District.

PROPOSED LAND USE:

A single family residential subdivision with a maximum of fifty-five (55) lots is planned, yielding a density of approximately 1.9 dwelling units per acre.

PLANNING COMMISSION RECOMMENDATION

RECOMMEND APPROVAL AND ACCEPTANCE OF THE PROFFERED CONDITIONS ON PAGES 2 THROUGH 5.

(NOTE: PROFFERED CONDITION 14 WAS SUBMITTED SUBSEQUENT TO THE COMMISSION'S CONSIDERATION OF THIS CASE.)

STAFF RECOMMENDATION

Recommend approval for the following reason:

A. The proposed zoning and land uses conform with the <u>Upper Swift Creek Plan</u> which suggests that the northern portion of the property, north of the future Hampton Park Drive Extended, is appropriate for office and residential

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development of up to ten (10) units per acre, while the southern portion of the property, south of the proposed Hampton Park Drive Extended, is appropriate for single family residential development of two (2) units per acre or less.

B. The applicant has presented an overall access plan for the area to address transportation concerns relative to the separation of access points along Hull Street Road.

(NOTE: CONDITIONS MAY BE IMPOSED OR THE PROPERTY OWNER MAY PROFFER CONDITIONS ON THE CONDITIONAL USE PLANNED DEVELOPMENT PORTION OF THE REQUEST. THE ONLY CONDITION THAT MAY BE IMPOSED ON THE REZONING PORTION OF THE REQUEST IS A BUFFER CONDITION. THE PROPERTY OWNER(S) MAY PROFFER OTHER CONDITIONS. THE CONDITIONS NOTED WITH "STAFF/CPC" WERE AGREED UPON BY BOTH STAFF AND THE COMMISSION. CONDITIONS WITH ONLY A "STAFF" ARE RECOMMENDED SOLELY BY STAFF. CONDITIONS WITH ONLY A "CPC" ARE ADDITIONAL CONDITIONS RECOMMENDED BY THE PLANNING COMMISSION.)

PROFFERED CONDITIONS

(STAFF/CPC) 1. Public water and wastewater shall be used. (U)

(STAFF/CPC)

2. The applicant, subdivider, or assignee(s) shall pay the following to the county of Chesterfield prior to the issuance of a building permit, for infrastructure improvements with in the service district for the property:

A. \$9,000.00 per dwelling unit, if paid prior to July 1, 2003; or The amount approved by the Board of Supervisors not to exceed \$9,000.00 per dwelling unit adjusted upward by any increase in the Marshall and Swift building cost index between July 1, 2002, and July 1 of the fiscal year in which the payment is made if paid after June 30, 2003.

In the event the cash payment is not used for which proffered within 15 years of receipt, the cash shall be returned in full to the payor. (B&M)

(STAFF/CPC)

3. Except for timbering approved by the Virginia State Department of Forestry for the purpose of removing dead or diseased trees, there shall be no timbering on the Property until a land disturbance permit has been obtained from the Environmental Engineering Department and the approved devices installed. (EE)

(STAFF/CPC) 4. Direct access from the property to Hull Street Road (Route 360) shall be limited to one (1) public road (the "Public Road"). The

exact location of this access shall be approved by the Transportation Department. Prior to any construction plan approval, an access easement acceptable to the Transportation Department shall be recorded from the Public Road to the adjacent property to the east (Tax ID # 708-667-8988) and to the adjacent property to the west (Tax ID # 708-666-5170). (T)

(STAFF/CPC)

5. In conjunction with the recordation of the initial subdivision plat, one hundred (100) feet of right of way on the south side of Hull Street Road, measured from the centerline of that part of Hull Street Road immediately adjacent to the property, shall be dedicated, free and unrestricted, to and for the benefit of Chesterfield County. (T)

(STAFF/CPC)

6. In conjunction with recordation of the initial subdivision plat a ninety (90) foot wide right-of-way for an east/west arterial ("Hampton Park Drive Extended") from the eastern property line to the western property line shall be dedicated, free and unrestricted, to and for the benefit of Chesterfield County. The exact location of this right-of-way shall be approved by the Transportation Department. (T)

(STAFF/CPC)

- 7. To provide an adequate roadway system at the time of complete development, the owner/developer shall be responsible for the following:
 - a. Construction of additional pavement along Route 360 at the Public Road intersection to provide a right turn lane, if warranted, based on Transportation Department standards;
 - b. Closing the existing crossover on Route 360 located approximately two hundred (200) feet east of the property and construction of a new crossover, including left turn lanes along both the eastbound and westbound lanes, on Route 360 at the Public Road intersection. If the Virginia Department of Transportation does not approve the closing of the existing crossover and constructing the new crossover, the developer shall then be required to construct an eastbound left turn lane at the existing crossover on Route 360 located approximately two hundred (200) feet east of the property;
 - c. Construction of two (2) lanes of Hampton Park Drive Extended through the property to VDOT urban minor

- arterial standards (50 mph), with modifications approved by the Transportation Department;
- d. Construction of the Public Road as a three (3) lane typical section at the Route 360 intersection. The exact length of this improvement shall be determined by the Transportation Department;
- e. Construction of an additional lane of pavement along Route 360 from the Public Road to the eastern property line of the adjacent parcel (Tax ID 708-667-8988);
- f. Construction of a twenty-four (24) foot access drive from the public road to the adjacent property (Tax ID 708-667-8988). The exact location and treatment of this improvement shall be determined by the Transportation Department.
- g. Dedication to Chesterfield County, free and unrestricted, any additional right-of-way (or easements) required for the improvements identified above. In the event the developer is unable to acquire any "off-site" right-of-way that is necessary for any improvement described in 7 a., the developer may request, in writing, that the County acquire such right-of-way as a public road improvement. All costs associated with the acquisition of the right-of-way shall be borne by the developer. In the event the County chooses not to assist the developer in acquisition of the "off-site" right-of-way, the developer shall be relieved of the obligation to acquire the "off-site" right-of-way and shall provide the road improvements within available right-of-way as determined by the Transportation Department. (T)
- (STAFF/CPC)
- 8. Prior to any construction plan approval, a phasing plan for the required road improvements, as identified in Proffered Condition 7, shall be submitted to and approved by the Transportation Department. The approved phasing plan shall include providing the improvements described in proffered conditions 7a, 7b, 7e, 7f and 7g in conjunction with initial development on the property. (T)
- (STAFF/CPC)
- 9. The property located north of the proposed east/west arterial or zoned Agricultural (A) and defined by the limits of this zoning request shall not be subdivided other than for the Public Road or for the Hampton Park Drive Extended rights of way, nor shall any residential building permit be issued on such property. (P)

- (STAFF/CPC) 10. The existing pond shall remain. (EE)
- (STAFF/CPC)

 11. All exposed portions of the foundation of each dwelling unit shall be faced with brick or stone veneer. Exposed piers supporting front porches shall be faced with brick or stone veneer. (P)
- (STAFF/CPC) 12. The minimum gross floor area for dwelling units shall be 2500 square feet. (BI)
- (STAFF/CPC) 13. The maximum density of this development shall not exceed 55 total lots. (P)
- (STAFF)

 14. Prior to any construction plan approval, a thirty (30) foot wide access easement, acceptable to the Transportation Department, shall be recorded from the southern property line of the adjacent property to the east (Tax ID 708-667-8988) to the access easement defined in Proffered Condition 4. (T)

GENERAL INFORMATION

Location:

South line of Hull Street Road, approximately 2,300 feet east of Baldwin Creek Road. Tax IDs 708-665-9636; 708-666-7360 and 9340; 708-667-7101 and 8937; and 709-665-3176; 709-666-2039, 3731 and 4163 (Sheets 15 and 23).

Existing Zoning:

Α

Size:

37.7 acres

Existing Land Use:

Single family residential or vacant

Adjacent Zoning and Land Use:

North - C-2, C-3 and C-5; Commercial, single family residential or vacant

South - A; Vacant

East - A and R-9; Vacant

West - A; Single family residential or vacant

UTILITIES

Public Water System:

There is an existing twenty-four (24) inch water line that extends along the north side of Hull Street Road and terminates adjacent to Hampton Park Drive, approximately 7,200 feet east of this site. In addition, there is an existing twelve (12) inch water line that extends along the north side of Hampton Park Drive and terminates approximately 1,600 feet east of this site. Use of the public water system is intended. (Proffered Condition 1)

Computer generated flow tests have been performed to evaluate the water pressure and flows available to serve this site. Tests indicate that a portion of this site, when served only by an extension from the twelve (12) inch water line in Hampton Park Drive, may be unable to achieve minimum fire flows of 1,000 gpm at 20 psi residual. Depending upon Fire Department requirements, it may be necessary to provide for extension of a twelve (12) inch or larger water line across Hull Street Road to allow for a future connection to the twenty-four (24) inch water line. Further evaluation will be necessary to determine if portions of this site will have domestic static pressures of less than 40 psi and provision made to provide individual booster pumps where needed.

Public Wastewater System:

There is an existing fifteen (15) inch wastewater trunk line extending along a portion of Dry Creek that terminates south of Hampton Valley Terrace, approximately 3,600 feet southeast of this site. The request site is within the boundary of the <u>Upper Swift Creek Plan</u> which recommends use of the public wastewater system. Use of the public wastewater system is intended. (Proffered Condition 1)

ENVIRONMENTAL

Drainage and Erosion:

The subject property drains to the east and then via tributaries to Dry Creek and Swift Creek Reservoir. There are currently no on- or off-site erosion problems with none anticipated after development. The parcel is partially wooded and, as such, should not be timbered without obtaining a land disturbance permit. This will insure that adequate erosion control measures are in place prior to any land disturbance. (Proffered Condition 3)

Water Quality:

The property is situated in the Upper Swift Creek Reservoir drainage basin and, as such, will be subject to a pro-rata fee for construction of regional BMPs and maintenance fee. The applicant has proffered to retain the existing pond located on the property, which will provide additional filtering of pollutants. (Proffered Condition 10)

PUBLIC FACILITIES

The need for fire, school, library, park and transportation facilities is identified in the <u>Public Facilities Plan</u>, the <u>Thoroughfare Plan</u> and the <u>Capital Improvement Program</u>. This development will have an impact on these facilities.

Fire Service:

The <u>Public Facilities Plan</u> indicates that emergency services calls are expected to increase forty-five (45) percent by 2015. Eight (8) new fire/rescue stations are recommended for construction by 2015 in the <u>Plan</u>. Based on fifty-five (55) dwelling units, this request will generate approximately nine (9) calls for fire and emergency medical services each year. The applicant has addressed the impact on fire service. (Proffered Condition 2)

The Clover Hill Fire/Rescue Station, Company Number 7, currently provides fire protection and emergency medical service. When the property is developed, the number of hydrants, quantity of water needed for fire protection and access requirements will be evaluated during the plans review process.

Schools:

Approximately thirty (30) school age children will be generated by this development. The site lies in the Grange Hall Elementary School attendance zone: capacity - 828, enrollment - 622; Swift Creek Middle School zone: capacity - 1,027, enrollment - 1,436; and Clover Hill High School zone: capacity - 1,582, enrollment - 2,030.

This development will have impact on the middle and high schools involved. Two (2) new high schools, proposed to be built by 2006, would replace Clover Hill High School and relieve Manchester High.

There are currently eight (8) trailers at Swift Creek Middle and seventeen (17) trailers at Clover Hill High School. The applicant has agreed to participate in the cost of providing for area school needs. (Proffered Condition 2)

Libraries:

Consistent with Board of Supervisors' Policy, the impact of development on library services is assessed County-wide. Based on projected population growth, the <u>Public Facilities Plan</u> identifies a need for additional library space throughout the County. Even if the facility improvements that have been made since the <u>Plan</u> was published are taken into account, there is still an unmet need for additional library space throughout the County.

This development would impact the existing Clover Hill library or one (1) of the proposed new facilities for the western part of the County in the Genito Road and west

Beach Road areas. The applicant has offered measures to assist in addressing the impact of this development on these facilities. (Proffered Condition 2)

Parks and Recreation:

The <u>Public Facilities Plan</u> identifies the need for four (4) new regional parks. In addition, there is currently a shortage of community park acreage in the County. The <u>Plan</u> identifies a need for 625 acres of regional park space and 116 acres of community park space by 2015. The <u>Plan</u> also identifies the need for neighborhood parks and special purpose parks and makes suggestions for their locations.

The applicant has offered measures to assist in addressing the impact of this proposed development on these Parks and Recreation facilities. (Proffered Condition 2)

Transportation:

The property (approximately thirty-eight (38) acres) is currently zoned Agricultural (A) and is located just west of the Hampton Park Subdivision on the south side of Hull Street Road (Route 360). The applicant is requesting rezoning from Agricultural (A) to Residential (R-12) on 29.8 acres and a Conditional Use Planned Development (CUPD) to permit construction of public road(s) on 7.9 acres. The applicant has proffered to limit development to a maximum of fifty-five (55) lots (Proffered Condition 13). Based on single family trip rates, development could generate approximately 600 average daily trips. These vehicles will be distributed along Route 360, which had a 2003 traffic count of 20,451 vehicles per day between Skinquarter Road and Woodlake Village Parkway.

The <u>Thoroughfare Plan</u> identifies Route 360 as a major arterial with a recommended right of way width of 120 to 200 feet. The applicant has proffered to dedicate 100 feet of right of way on the south side of Route 360, measured from the centerline, in accordance with that <u>Plan</u>. (Proffered Condition 5)

The <u>Thoroughfare Plan</u> also identifies an east/west arterial ("Hampton Park Drive Extended") that passes through the property. This proposed roadway extends from the current endpoint of Hampton Park Drive through the property west to Doss Road. The applicant has proffered to dedicate a ninety (90) foot wide right of way through the property in accordance with that <u>Plan</u>. (Proffered Condition 6)

Access to major arterials, such as Route 360, should be controlled. The applicant has proffered to limit direct access from the property to Route 360 to one (1) public road (the "Public Road") and to dedicate access easements from the Public Road to the adjacent properties to the east (convenience store) and west (Proffered Condition 4). Construction of the Public Road will result in approximately 100 feet of separation between the Public Road and the convenience store's westernmost access. Access spacing along major arterials such as Route 360 should be approximately 500 feet; however, the applicant has presented an overall access plan for the area to address this issue. (Reference attachment)

The traffic impact of this development must be addressed. The applicant has proffered to: 1) construct additional pavement along Route 360 at the Public Road intersection to provide a right turn lane; 2) construct two (2) lanes of Hampton Park Drive Extended through the property; 3) construct the Public Road as a three (3) lane typical section at its intersection with Route 360; 4) construct an additional lane of pavement along Route 360 from the Public Road to the eastern property line of the adjacent parcel (Tax ID 708-667-8988); 5) construct an access road from the Public Road to the adjacent convenience store property; and 6) close the existing crossover on Route 360 located just east of the site, and construct a new crossover, including left turn lanes along both the eastbound and westbound lanes, at the Public Road intersection (Proffered Condition 7). The existing Route 360 crossover currently serves the convenience store on the south side of Route 360 and undeveloped commercially zoned property on the north side of Route 360. To provide shared use of the new crossover, the applicant has proffered to dedicate access easements from the Public Road to the adjacent properties to the east (convenience store) and west (Proffered Condition 4). The applicant has also proffered to dedicate an access easement from the southern boundary of the convenience store property to the aforementioned access easement (Proffered Condition 14). This easement could result in improved traffic circulation around the existing convenience store.

If VDOT does not approve closing the existing crossover and constructing the new one, the developer will be relieved of the requirement to construct the new crossover and turn lanes. In lieu of these improvements, the developer will be required to provide an adequate left turn lane at the existing crossover on Route 360 located just east of the property. (Proffered Condition 7)

The developer may need to acquire "off-site" right of way to provide the right turn lane along Route 360 at the Public Road intersection. According to Proffered Condition 7, if the developer is unable to acquire the right of way for this improvement, the developer may request the County to acquire the right of way as a public road improvement. All costs associated with the acquisition will be borne by the developer. If the County chooses not to assist with the right of way acquisition, the developer will not be obligated to acquire the "off-site" right of way, and will only be obligated to construct road improvements within available right of way.

Area roads need to be improved to address safety and accommodate the increase in traffic generated by this development. The 2001 traffic volumes along the section of Route 360 from Otterdale Road to Route 288 range from 15,000 to 61,000 vehicles per day. The volume of traffic from Woodlake Village Parkway to Route 288 exceeds the capacity of the road, and drivers experience extreme congestion, especially during peak periods. The Virginia Department of Transportation's Six-Year Improvement Program includes a project to widen Route 360 to six (6) and eight (8) lanes from Swift Creek to Winterpock Road. The Plan designates previous funds for construction of additional westbound lanes on Route 360, and provides supplemental funding for the remainder of the project in the fifth (FY08) and sixth (FY09) years of the Plan. No additional road improvement projects

in this area of the County are included in the <u>Six-Year Improvement Plan</u>. The applicant has proffered to contribute cash, in an amount consistent with the Board of Supervisors' Policy, towards mitigating the traffic impact of this development. (Proffered Condition 2)

Financial Impact on Capital Facilities:

		PER UNIT
Potential Number of New Dwelling Units	55*	1.00
Population Increase	149.60	2.72
Number of New Students		
Elementary	13.20	0.24
Middle	7.15	0.13
High	9.35	0.17
TOTAL	29.70	0.54
Net Cost for Schools	266,585	4,847
Net Cost for Parks	38,115	693
Net Cost for Libraries	20,625	375
Net Cost for Fire Stations	22,055	401
Average Net Cost for Roads	225,995	4,109
TOTAL NET COST	573,375	10,425

^{*}Based on a proffered maximum number of lots. Actual number of lots and corresponding impact may vary. (Proffered Condition 13)

As noted, this proposed development will have an impact on capital facilities. Staff has calculated the fiscal impact of every new dwelling unit on schools, roads, parks, libraries and fire stations at \$10,425 per unit. The applicant has been advised that a maximum proffer of \$9,000 per unit would defray the cost of the capital facilities necessitated by this proposed development. Consistent with the Board of Supervisors' Policy, and proffers accepted from other applicants, the applicant has offered cash to assist in defraying the cost of this proposed zoning on such capital facilities. (Proffered Condition 2)

Note that circumstances relevant to this case, as presented by the applicant, have been reviewed and it has been determined that it is appropriate to accept the maximum cash proffer in this case.

LAND USE

Comprehensive Plan:

Lies within the boundaries of the <u>Upper Swift Creek Plan</u> which suggests the northern portion of the property, north of the future Hampton Park Drive Extended, is appropriate for office and residential development of up to ten (10) units per acre, while the southern portion of the property, south of the proposed Hampton Park Drive Extended, is appropriate for single family residential development of two (2) units per acre or less.

Area Development Trends:

Properties to the north are zoned Neighborhood Business (C-2), Community Business (C-3) and General Business (C-5) and are occupied by a single family dwelling or are currently vacant. Properties to the south and west are zoned Agricultural (A) and are developed for single family uses or are currently vacant. Properties to the east are zoned Agricultural (A) or Residential (R-9) and are currently vacant or pending subdivision plan approval as part of the Hampton Park Subdivision development. It is anticipated that residential zoning and land use patterns will continue south of the future Hampton Park Drive Extended consistent with densities suggested by the Plan.

Density:

A maximum of fifty-five (55) lots on the property, yielding a density of approximately 1.9 units per acre, has been proffered. (Proffered Condition 13)

Dwelling Size and Architectural Treatment:

Proffered conditions address minimum house size and foundation and exposed pier treatment. (Proffered Conditions 11 and 12)

Limitations on Parcel Division:

As previously noted, with approval of this request, property north of the proposed Hampton Park Drive Extended collector will remain zoned Agricultural (A) with a Conditional Use Planned Development to permit the construction of the Public Road and Hampton Park Drive Extended to serve the proposed residential development to the south. With the extension of these rights of way through the subject property, the potential exists for the property north of Hampton Park Drive Extended, as well as any residual Agriculturally-zoned property that may be located south of the established alignment of this road to be divided into parcels for residential development that are exempt from the subdivision review process. To address staff concerns relative to the creation of individual parcels outside of the subdivision process which have access to these proposed roads, Proffered Condition 9 precludes the subdivision of both property north of Hampton Park Drive Extended as well as any of the subject Agricultural (A)

property except for the establishment of these rights of way. Further, no residential building permits would be issued on such properties.

CONCLUSIONS

The proposed zoning and land uses conform to the <u>Upper Swift Creek Plan</u> which suggests that the northern portion of the property, north of the future Hampton Park Drive Extended, is appropriate for office and residential development of up to ten (10) units per acre, while the southern portion of the property, south of the proposed Hampton Park Drive Extended, is appropriate for single family residential development of two (2) units per acre or less.

In addition, the applicant has presented an overall access plan for the area to address transportation concerns relative to the separation of access points along Hull Street Road.

Given these considerations, approval of this request is recommended.

CASE HISTORY

Planning Commission Meeting (11/18/03):

At the request of the applicant, the Commission deferred this case to their December 16, 2003, public hearing.

Staff (11/19/03):

The applicant was advised in writing that any significant new or revised information should be submitted no later than November 24, 2003, for consideration at the Commission's December public hearing. Also, the applicant was advised that a \$500.00 deferral fee must be paid prior to the Commission's public hearing.

Staff (11/26/03):

To date, no new information has been submitted nor has the \$500.00 deferral fee been paid.

Applicant (12/2/03):

The deferral fee was paid.

Applicant (12/15/03 and 12/16/03):

Revised proffered conditions were submitted to address construction of turn lanes and access to property to the east.

Planning Commission Meeting (12/16/03):

The applicant did not accept staff's recommendation, but accepted the Commission's recommendation. There was opposition present. Concerns were expressed relative to the relocation of the crossover on Route 360 and its affect on access for existing and proposed area businesses.

In response to questions of Messrs. Stack and Cunningham, Mr. McCracken indicated that crossovers must serve more than a single parcel and that the Transportation Department could not support this request without the closure of the existing crossover.

Mr. Stack noted that with future growth along the western Route 360 corridor, the crossover would eventually be closed, that proffered conditions provide for an alternative access to the adjacent eastern commercial development through the subject property; and that this will result in the adjacent commercial development having two (2) accesses.

On motion of Mr. Stack, seconded by Mr. Cunningham, the Commission recommended approval of this request and acceptance of the proffered conditions on pages 2 through 4.

AYES: Unanimous.

Board of Supervisors Meeting (1/28/04):

The applicant did not accept staff's recommendation but accepted the Commission's recommendation.

There was opposition present. Concerns were expressed relative to closure of the crossover on Route 360 that leads into an adjacent business to the east; separation of access points along Route 360, acquisition of additional right of way from adjacent parcels to accommodate an additional lane of pavement to the east; the western extension of Hampton Park Drive; and the approval of additional residential development prior to the adoption of the <u>Upper Swift Creek Plan</u> amendment.

Mrs. Humphrey noted that the residential component of the request was consistent with the current <u>Plan</u> recommendations but that a deferral was appropriate for the purpose of staff, the applicant and adjacent property owners to seek resolution on access issues.

On their own motion, the Board deferred this case to the February 25, 2004, meeting to address access issues.

Staff (1/29/04):

The applicant was advised in writing that any significant new or revised information should be submitted no later than February 3, 2004, for consideration at the Board's February public hearing.

Meeting with Area Property Owners, Applicant, Staff and Matoaca District Supervisor (2/5/04):

A meeting was held to discuss issues relative to access and the crossover on Route 360. The applicant agreed to proffer dedication of an access easement from the southern boundary of the adjacent property to the east to the access easement referenced in Proffered Condition 4 to facilitate vehicular circulation within this site.

Applicant (2/9/04):

Proffered Condition 13 was submitted which addresses an additional access easement to the adjacent property to the east.

The Board of Supervisors, on Wednesday, February 25, 2004, beginning at 7:00 p.m., will take under consideration this request.







